House Joint Resolution 46: Study of Election Laws
Summary of LC9050: Comprehensive Review and Cleanup of Election Statutes
Jan. 7, 2008

Page	Section	Statute	Changes/Reasons	Comments/Decisions
1	1	13-1-101	Revises "active elector" and "inactive elector" to conform to current practice; adds new definitions, including "voted ballot," to recognize mail ballot and absentee voter issues	
8	2	13-1-113	Clarifies that residency provision applies only to Title 13	
9	3	13-1-115	Adds places of deposit to the list of places at which an elector may not be arrested	
9	4	13-2-110	Shortens this section to group into one subsection the ways in which alternative forms of identification may be presented	
11	5	13-2-116	Recognizes that mail ballot elections don't have precinct registers; sets deadline to accommodate late registration to greatest degree possible	
12	6	13-2-220	Clarifies that reactivation and cancellation of registration are possible	
14	7	13-2-222	Clarifies that a person may reactivate registration by voting in a mail ballot election	
15	8	13-2-301	Requires that notice be provided that the option for late registration exists	
16	9	13-2-304	Allows for late registration ballots to be obtained and voted at a location other than county election administrator's office on Election Day, if the election administrator has designated an alternative location	
17	10	13-2-402	Spells out more clearly how cancellation of a voter's registration may occur	
18	11	13-3-205	Eliminates outdated standards for polling place accessibility	
19	12	13-3-206	Allows a polling place to be resurveyed for accessibility if the original survey was inaccurate	
20	13	13-4-102	Eliminates random selection of election judges	
21	14	13-4-106	Adds state minimum wage as a payment option	

22	15	13-4-202	Clarifies the oaths that an election judge may administer	
22	16	13-4-203	Eliminates expiration provision for an election judge's certification, because the timing creates problems; instead states when they must be certified	
23	17	13-10-211	Clarifies that a county clerk must be notified by a school district of the declaration of a write-in candidacy if the county is conducting the school election	
26	18	13-10-328	If a gubernatorial candidate dies within 75 days of an election, requires that a voted absentee ballot to be counted for the candidate of the same party as the deceased candidate.	Consider as a separate bill?
27	19	13-13-212	Allows a voter to ask for a permanent absentee ballot at any time, rather than just when applying for an absentee ballot	
29	20	13-13-213	Adds a voter's designated agent to the verification process; clarifies that an absentee ballot may not be sent if signatures can't be verified	
31	21	13-13-222	Clarifies when an absentee ballot is voted	
31	22	13-13-241	Adds a voter's designated agent to the section; clarifies that identity AND eligibility need to be verified; allows voters to verify signatures by mail or in person and to correct other, more minor issues by several different methods; requires a ballot to be handled as a provisional ballot if issues aren't resolved (rather than requiring the ballot to be rejected)	
34	23	13-13-301	Incorporates section-specific definition into general language of section	
36	24	13-15-107	Adds a voter's designated agent throughout; allows transmission of information by electronic means, rather than electronic mail; makes it clear when verification information can be provided and when provisional ballots may be counted	
38	25	13-17-103	Changes "may be" to "is" for requirement that machines be protected against tampering	Consider as a separate bill?
40	26	13-17-212	Eliminates reference to direct recording electronic voting systems, since all other references were stricken in the past; requires that 10% of each type of voting system be audited rather than 10% of all voting systems	Consider as a separate bill?

40	27	13-19-102	Clarifies definition of "ballot" for mail elections, so more than one type of ballot may be in an envelope	
41	28	13-19-105	Clarifies that secretary of state establishes procedures but county election administrator carries them out	
42	29	13-19-106	Allows exception for absent military/overseas voters; clarifies that counting could start earlier than provided in chapter 15	
44	30	13-19-204	Clarifies that election can't be held by mail, rather than not held at all	
44	31	13-19-205	Requires a written plan that addresses instructions to voters and postage needed for return of ballot	Consider as a separate bill?
45	32	13-19-206	References the need for the written instructions that were added to 13-10-205; clarifies that ballots can't be forwarded	
46	33	13-19-207	Recognizes that ballots could be provided when a voter reactivates registration after ballots have been mailed; allows for mailing until noon on the day before the election (same as absentee and late registration); and recognizes that voting will have to occur at the office after a certain point	
47	34	13-19-301	Revises when ballot is voted	
48	35	13-19-303	Allows mailed ballot to be provided as an absentee ballot if voter reactivates registration and requests an absentee ballot	
49	36	13-19-304	Allows a person who is not a registered voter but is eligible to vote in an election to provide proof without having to physically come to the office, recognizing that the person may live out of state or out of the county	
49	37	13-19-305	Clarifies handling of replacement ballots	
50	38	13-19-306	Adds elector's agent; recognizes exception for military/overseas voters	
50	39	13-19-307	Requires that places of deposit must be accessible, have accessible voting machines, and be staffed by at least two election officials	Consider as a separate bill?
52	40	13-19-308	Adds voter's designated agent; removes requirement that names of people who deliver ballots be logged (because no identification required and this does not have to be done at the election administrator's office)	

53	41	13-19-310	Adds voter's designated agent and designation form; makes a questionable ballot a provisional ballot rather than having it presented to canvassing board for a determination	
54	42	13-19-311	Allows election administrator to put a ballot in a secrecy envelope (as can be done for absentee ballots); allows for multiple ballots from the same household to be returned in one envelope	Consider as a separate bill?
56	43	13-19-312	Adds voted ballot language	
56	44	13-19-313	Allows voter's designated agent; allows signature verification by mail or in person; allows other minor errors to be corrected by a variety of means	
58	45	13-19-314	Makes a questionable ballot a provisional ballot, rather than having it go to counting board and canvassers	
59	46	13-21-203	Clarifies that late registration provision applies to absent military and overseas voters	
59	47	13-21-210	Allows absent military and overseas voters to request permanent absentee ballots	
61	48	13-27-311	Clarifies notice requirements for initiatives vs. referenda, to eliminate an internal inconsistency in this section	
62	49	13-37-226	Clarifies filing deadlines for campaign finance reports for ballot measures	
65	50	20-20-107	Revises payment for school election judges to correspond with election judges under Title 13, at request of school representatives in the HJR 46 work group	Consider as a separate bill?
66	51	New	Requires training for school election judges	Consider as a separate bill?
66	52	20-20-203	Eliminates 10-day notification period for school election judges	
67	53	New	Establishes procedures for breaking a tie vote in a school election	Consider as a separate bill?

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